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7 Attorney for Defendant Froylan Hernandez

RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

6 UNITED STATES DISTRICT COURT

7 NORTHERN DISTRICT OF CALIFORNIA

8 SAN JOSE DIVISION

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11 UNITED STATES OF CALIFORNIA,) Case No.: 10-CR-00826-DLJ
12 Plaintiff,) STIPULATION AND []
13 vs.) ORDER ADVANCING SENTENCING
14 FROYLAN HERNANDEZ,) HEARING ONE WEEK
15 Defendant)
16 _____)

17 The defendant FROYLAN HERNANDEZ, represented by James McNair
18 Thompson, Esq., and the government, represented by Thomas A. Colthurst,
19 Assistant United States Attorney, respectfully request that the sentencing hearing
20 currently scheduled for September 13, 2012 at 10:00 a.m., be advanced to
21 September 6, 2012 at 10:00 a.m.

22 FROYLAN HERNANDEZ' sentencing was originally set for August 2, 2012,
23 but was continued upon the stipulation of the parties so that certain pre-sentence
24 matters could be resolved; those matters have been resolved, but counsel for
25 defendant has a court appearance in another court set for September 13, 2012.

1 Both counsel are available September 6, 2012, and therefore the parties
2 request the matter be advanced to that date.

3 On May 17, 2012, FROYLAN HERNANDEZ pleaded guilty to Count Two of
4 the Indictment in Case No. 10-CR-00826-DLJ charging him with possessing with
5 intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and
6 841(b)(1)(A)(viii) and Title 18, United States Code, Section 2. He has been
7 incarcerated since his arrest.

8 No other defendants are affected by this request.

9 SO STIPULATED:

10 Dated: July 31, 2012

/S/

11 Thomas A. Colthurst
12 Assistant United States Attorney

13 Dated: July 31, 2012

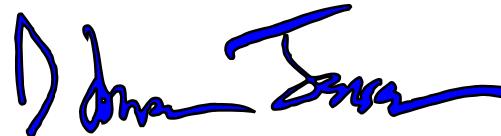
/S/

14 James McNair Thompson, Esq.
15 Attorney for Defendant

16 ORDER

17 Accordingly, for good cause shown, the Court HEREBY ORDERS that the
18 sentencing hearing for United States v. Froylan Hernandez, scheduled for
19 September 13, 2012 at 10:00 a.m., is advanced to September 6, 2012, at 10:00 a.m.

20 DATED: 1~~ECF~~G

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23 THE HONORABLE D. LOWELL JENSEN
24 United States District Judge